



# Center for International Policy

1717 Massachusetts Ave, NW Suite 801

Washington, D.C. 20036

PHONE: (202) 232-3317 FAX: (202) 232-3440

E-MAIL: [cip@ciponline.org](mailto:cip@ciponline.org) WEB SITE: [www.ciponline.org](http://www.ciponline.org)

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**To:** Colleagues and Legislative Staff

**From:** Adam Isacson, CIP Colombia Program

**Re: Notes for the 11/13-14 visit of Colombian President Álvaro Uribe**

In the wake of last week's midterm election results, the president of Colombia, Álvaro Uribe, will visit Washington today and tomorrow. His government, the largest U.S. aid recipient outside the Middle East, has much at stake in the new Congress.

In a series of meetings with administration officials and members of Congress, Uribe is to ask for three things: renewal of trade preferences that are to expire soon, ratification of a recently signed bilateral free trade agreement, and continuation of U.S. assistance at current levels.

## **1. Renewal of the Andean Trade Preferences and Drug Elimination Act (ATPDEA).**

This proposal deserves rapid approval, for Colombia as well as the other three countries that benefit from it, Bolivia, Ecuador and Peru.

Since passage of the Andean Trade Preferences Act in 1991, the United States has offered these countries duty-free access to several products. This suspension of duties is not permanent, and expires on December 31. The Act's goal was to encourage exports of legal products as an alternative to the cultivation of crops used to make illegal drugs, such as coca and opium poppy.

This goal has not been achieved; the amount of coca grown in the Andes is unchanged from 1991 levels. While the ATPDEA has created hundreds of thousands of jobs, these have been concentrated in regions that already had a strong state presence and access to transportation - not the remote, forgotten rural zones where drug crops flourish.

Nonetheless, the ATPDEA deserves renewal because of the damage that its cancellation would do. Entire sectors of these countries' economies have grown around the products exempted from U.S. duties. Allowing those duties to be reinstated would deal a huge blow to these sectors, harming the economies of Colombia and other countries friendly to the United States. By increasing unemployment, non-renewal of ATPDEA would also make coca cultivation a tempting option for more of these countries' citizens.

Right now, businesses in affected industries are uncertain whether they will be able to fill orders at competitive prices after December 31. Quick renewal of ATPDEA, then, should be a priority, as President Uribe recommends.

## **2. Ratification of a U.S.-Colombia Free Trade Agreement (FTA).**

The Center for International Policy does not have a position on the FTA, though we note that most organizations we work with are opposed to the agreement that the U.S. and Colombian governments signed earlier this year. Neither country's Congress has yet ratified the FTA.

Proponents of the agreement argue that it will improve U.S. access to one of Latin America's largest markets, and will create jobs and economic growth in Colombia, increasing foreign investment and tax revenue while discouraging cultivation of crops used to produce drugs.

Opponents argue that growth created by the trade pact will be unevenly distributed, worsening inequality in a country with one of the world's worst rich-poor divides. They contend that job creation will occur mainly in cities and areas with a strong government presence, not the vast, stateless rural areas where drug crops are grown and an armed conflict rages. Opponents in fact worry that an FTA could, at least in the short term, depress these rural areas further by forcing competition with cheaper U.S. products, which in turn could push more farmers into the coca economy. Finally, opponents note that more labor union members are killed in Colombia than in any other country, and that nearly all of these killings go unpunished.

For more information:

- U.S. Trade Representative Colombia FTA page: [http://www.ustr.gov/Trade\\_Agreements/Bilateral/Colombia\\_FTA/Section\\_Index.html](http://www.ustr.gov/Trade_Agreements/Bilateral/Colombia_FTA/Section_Index.html)
- U.S.-Colombia Trade Coalition page: <http://www.uscolombiatrade.org/>
- Public Citizen FTA page: <http://www.afsc.org/trade-matters/trade-agreements/Colombia/statement.htm>
- American Friends Service Committee FTA page: <http://www.afsc.org/trade-matters/trade-agreements/Colombia.htm>
- AFL-CIO report - The Struggle for Worker Rights in Colombia: <http://solidarity.timberlakepublishing.com/content.asp?contentid=598>

### 3. Renewal of U.S. aid within the "Plan Colombia" framework.

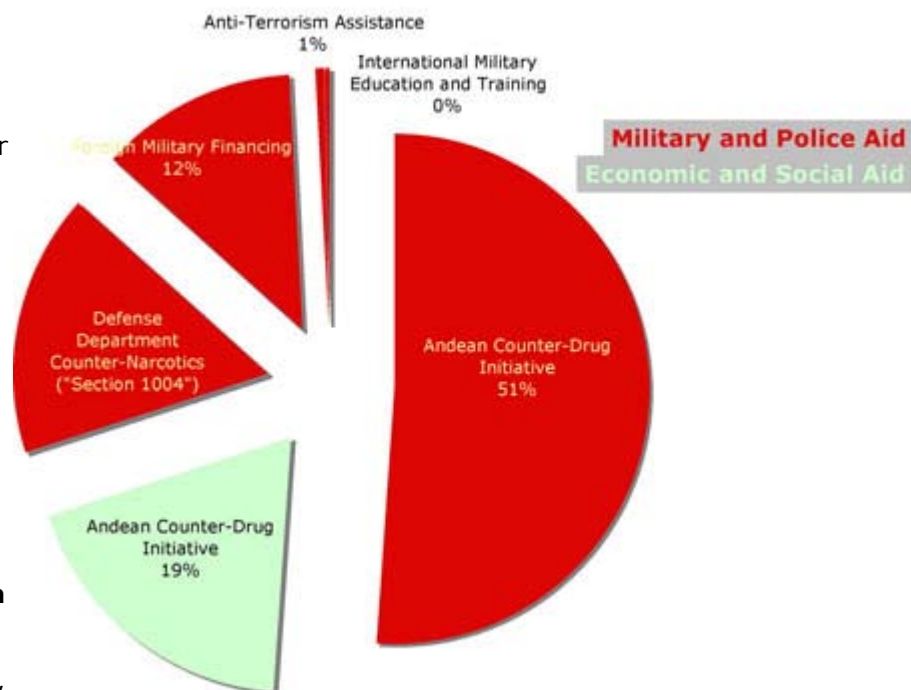
Since approval of the "Plan Colombia" aid package in 2000, the United States has given Colombia assistance valued at \$4.7 billion. This aid has been heavily weighted toward lethal and punitive programs.

Eighty percent has gone to so-called "hard" aid: military and police assistance, plus a program of aerial herbicide fumigation over coca-growing areas. The remainder has been distributed among such "soft" efforts as rural development, judicial reform, rule-of-law programs, and aid to the world's second-largest population of internally displaced people.

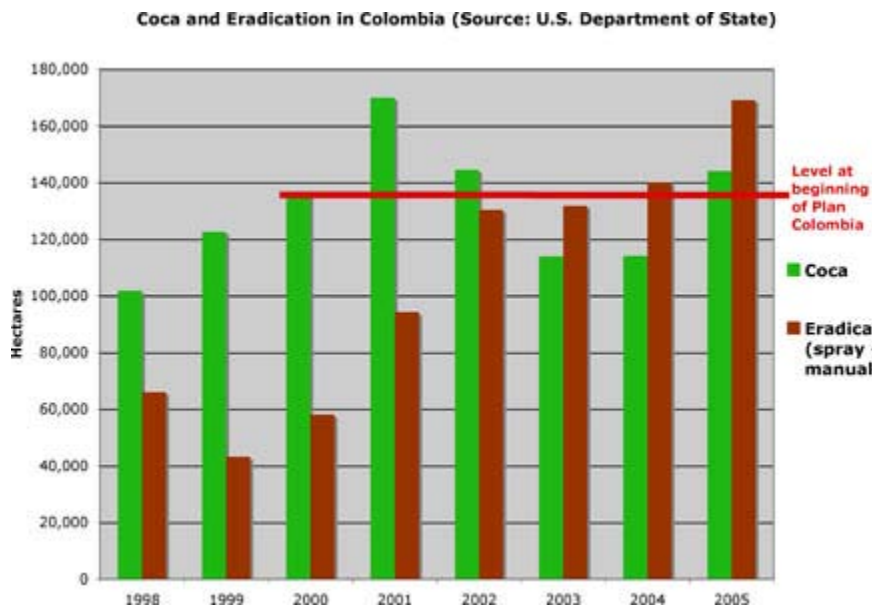
**We do not oppose the current level of \$700-750 million per year in aid to Colombia.** In fact, we encourage the new Democratic majority in Congress to consider increasing it. But **we oppose the current lopsided approach**, in which military efforts outweigh development and governance programs by a 4 to 1 ratio.

The results of this approach have been mostly disappointing. Ever-increasing fumigation has vastly outpaced any effort to govern coca-growing zones or help farmers to make a legal living. The predictable result is that coca-growing persists. The U.S. government's own

**Aid to Colombia, 2006 (Estimate - \$730 Million)**



measures show that more coca was grown in Colombia in 2005 than in 2000, the year that Plan Colombia began. Such a disappointing result demands that the next Congress take a fresh look at the counter-drug strategy.



The ninety helicopters, dozens of boats and planes, and training of over 50,000 police and soldiers since 2000 - combined with a sharp increase in defense spending and offensive operations under President Uribe - have improved the security situation in Colombia somewhat. Though the frequency of guerrilla attacks and combat incidents is largely unchanged, guerrilla

activity has been pushed to less-populated rural zones. Negotiations to demobilize pro-government paramilitaries achieved a partial cease-fire, reducing the number of murders committed by these narcotics-linked death squads. As a result, murders and kidnappings have declined, and foreign investment in Colombia has increased.

There is reason for concern, though, that these gains may be hard to sustain. The strategy has so far been largely military: territories "re-taken" by the security forces still await a true government, as citizens continue to live without a justice system, a road network, basic services, or any of the conditions needed to sustain a legal economy. This raises concerns that territorial gains may be temporary. It is relatively easy to conquer guerrilla-held zones, but to govern, protect and win over the population requires an effort that is only partially military.

Until very recently, neither the U.S. nor the Colombian government had indicated that it had any plan to increase badly needed civilian governance in conflictive coca-growing zones. However, President Uribe has recently begun touting a plan to increase social investment by \$1.6 billion over the next four years.

Meanwhile, the Colombian military is being increasingly questioned. 2006 has been a bad year for the U.S.-aided armed forces, which have been hit by a string of scandals: revelations of torture of recruits in February; paramilitary infiltration of the state intelligence service in April; the massacre of an elite police anti-drug unit at the hands of a military patrol in May; allegations of civilians murdered and passed off as dead guerrillas; and a string of alleged car bombings carried out by soldiers and blamed on guerrillas. There is widespread concern that Colombia's investigative and judicial institutions are as unable - or as unwilling - to punish human-rights abuse and corruption as they were when Plan Colombia began.

Some questions for President Uribe:

- Why does he believe that coca cultivation has been so resilient in Colombia? Is large-scale fumigation with modest development aid the best way to go? Does he suggest that the new U.S. Congress consider a new approach?

- Colombia's authorities have interdicted about 39 percent less cocaine this year than they did at this point in 2005. Should we be concerned about this, or does he believe that less cocaine is being produced this year?
- Mr. Uribe usually requests mainly military assistance from the United States. Does he anticipate that changing in order to increase overall governance in conflictive zones?
- Ask him to describe his proposal for \$1.6 billion in new investment for development and governance. How can we help?
- What is the status of investigations into this year's military scandals - the torture of recruits, the paramilitary infiltration of the DAS security service, the murder of a police anti-drug unit in Jamundí, charges of extrajudicial executions, and allegations of false bombings in Bogotá?
- Are this year's scandals in the Colombian armed forces the product of numerous "bad apples," or are they indicators that systemic change is needed?
- Mr. Uribe has been strongly critical of Colombia's human-rights organizations in the past. In one 2003 speech, he called many of them - without specifying whom - "spokespeople for terrorism." How does the president view the role of human-rights NGOs in Colombia?

#### **4. Demobilization and reintegration of paramilitaries.**

Since 2002, President Uribe has been negotiating the demobilization of pro-government paramilitary groups. This process is now quite advanced, but observers are concerned about:

(a) whether paramilitary networks are truly being dismantled, or whether the groups' leaders are emerging from this process with more power - political power, wealth, control of criminal activity and drug trafficking - than they had before.

(b) what penalties paramilitary leaders might face for large-scale crimes against humanity; Colombia's new demobilization law sets a maximum sentence of up to eight years in an alternative prison.

(c) whether Colombia's prosecutors will be given the tools necessary to investigate past paramilitary crimes, to ensure that demobilizing paramilitaries are not able to omit serious crimes from their confessions;

(d) whether Colombia's institutions will be able to absorb and reintegrate as many as 31,000 unemployed former rank-and-file paramilitary fighters - and whether all of them are truly disarming and abandoning paramilitarism;

(e) whether Colombia's new Reconciliation and Reparations Commission will be able to find out what properties - especially land - were stolen from tens of thousands of victims, discover the truth about what happened, and guarantee restitution.

Some questions for President Uribe:

- In his opinion, are paramilitary networks truly being dismantled? Is he concerned about the regional power that "former" paramilitary leaders still enjoy? Can the United States do more to help the dismantlement process?
- Colombia's media has widely reported revelations from a computer that belonged to Rodrigo Tovar, a paramilitary leader who controls much of Colombia's Caribbean coast. They indicate that the paramilitaries in that region are in league with dozens of members of congress, governors, mayors, and business figures, even as they killed opponents and sent drugs to the United States. Does President Uribe consider this new information to be evidence of bad faith in Tovar's negotiations with the

government? Is he concerned that other paramilitary leaders may still have a similar grip over politics and crime in other regions?

- As many as twenty-four "former" paramilitary leaders face U.S. extradition requests for sending drugs to the United States. If evidence emerges that these leaders are still sending drugs here today, will President Uribe be willing to extradite them?
- Is President Uribe concerned by reports that at least 3,000 former paramilitaries may have re-armed in several parts of the country?
- Is the attorney-general's office getting the political and financial backing it needs to investigate paramilitary crimes?
- Is the National Reconciliation and Reparations Commission getting the political and financial backing it needs to guarantee justice for victims? What challenges does it face, and how can the United States help?
- Is there a coherent, well-resourced plan for reintegrating former paramilitaries? How does the president respond to charges that the reintegration process is too improvised and that many former fighters appear to be slipping through the cracks?
- Is the government able to guarantee security in zones formerly controlled by paramilitaries? Is the president concerned that these zones may remain under the control of "former" paramilitaries, or even be taken by guerrillas?

## **5. Negotiations with the FARC and ELN guerrillas.**

In mid-October, the Colombian government and the country's second-largest guerrilla group, the National Liberation Army (ELN), met in Havana for a fourth round of exploratory talks. The two sides made few concrete advances, but did agree to "formalize" their negotiations.

Talks remain a distant possibility between the Colombian government and the larger guerrilla group, the Revolutionary Armed Forces of Colombia (FARC). In early October, the government and FARC exchanged several statements indicating progress toward talks to free several dozen hostages - including three U.S. Defense Department contractors - whom the guerrillas have been holding for years. The guerrillas demand that these talks occur in a small zone with no military presence, a pre-condition that the Colombian government has been reluctant to meet. In mid-October, a car bomb went off right outside the Colombian Army's War College. President Uribe blamed the attack on the FARC and cut off all contacts for a prisoner exchange.

Question for President Uribe:

- Could the president give an update on efforts to negotiate peace with the FARC and ELN guerrilla groups? Is he satisfied with progress made so far with the ELN? At this stage, is there anything the U.S. government can be doing to help?